IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2634 OF 2006

Vidyut Metallics Pvt. Ltd.
and anr. ..Petitioners

Vs.

The Registration & Licensing
Officer, Thane (W). ..Respondent

Mr. Sanjay Udeshi i/by M/s. Sanjay Udeshi and Co. for petitioners.

CORAM: B.H. MARLAPALLE & NARESH H. PATIL,JJ.

Date : September 15, 2006.

P.C.:

1. We have heard the learned counsel for the petitioners and also perused the communication dated 21/9/2005 issued by the Deputy Labour Commissioner, Thane in furtherance to the explanation submitted by the petitioners on 19/9/2005. It appears that the Deputy Labour Commissioner based on the inspection reports has reasons to believe that the petitioners are not complying with the provisions of the Contract Labour (Regulation and Abolition) Act, 1970. By the impugned notice dated 21/9/2005 it has been stated by the Deputy Labour Commissioner that the explanation submitted is not satisfactory and even then the

petitioners were called upon to furnish further explanation with a documentary support so as to grant an additional opportunity to them. On the face of this communication, entertaining a writ petition at this stage would be premature.

2. The petitioners undertake to appear before the Deputy Labour Commissioner within a period of four weeks and furnish further explanation supported by the necessary documents. The Deputy Labour Commissioner is directed to hear the petitioners either through its officer or an advocate and no order shall be passed, as intended, unless the petitioners are heard. The hearing should be completed within a period of two months from today.

3. Petition disposed off in terms of the above directions.

4. Writ to go to the Deputy Labour Commissioner forthwith.

(Naresh H. Patil, J.) **(B.H. Marlapalle,J.)**